

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Allowable Subject Matter

The allowance of claims 11 and 12 and the indicated allowability of claims 4 and 5 is noted with appreciation. Claim 4 has been amended into independent form and presumably claims 4 and 5 are now allowable along with claims 11 and 12.

Claim Rejections - 35 USC § 102 and § 103

Claim 1 has been amended to further specify that the rear portion is attachable by releasable attachment devices to the front side portions at each shoulder and adjacent a waist region on either lateral side of the clothing article, and that each attachment device is length adjustable.

Frank does not teach a left and right front portion and a separate rear portion that is releasably attachable to the left and right front portions, at each of the shoulders and adjacent a waist region. Regarding the Examiner's comments in relation to the rear portion being attachable by "attachment of conventional stitching to the front portions at each shoulder portion", the stitched portions would not be releasable and there would be no attachment device that is length adjustable.

The Examiner also contends that the left and right front side portions are releasably attachable to the respective sides of the back portion which is a unitary portion, this allegedly being illustrated in Figure 5 of Frank. What is illustrated in Figure 5, however, is a girth extender portion inserted between the two front side portions (see column 3, lines 19 to 21). Frank does not disclose a clothing article as set forth in amended claim 1.

Further, the rejection under 35 USC § 103(a) is no longer applicable in light of the amendments made to claim 1. Puco is used as a secondary citation as teaching lumbar support belt. In light of the amendments made to claim 1, Frank no longer teaches all the elements of the invention with the exception of the lumbar support belt and Puco does not contain sufficient disclosure to disclose all of the recited features even assuming there was a reasonable basis to combine Puco with Frank.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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